

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

BRANDON EARL FIELDS

PETITIONER

v.

CIVIL ACTION NO. 3:14cv743-DPJ-FKB

SHERIFF BILLIE SOLLIE

RESPONDENT

ORDER

This habeas corpus petition is before the Court on the Report and Recommendation [24] of Magistrate Judge F. Keith Ball entered in this action on February 20, 2015. Because Petitioner Brandon Earl Fields's Petition [2] is now moot, Judge Ball's Report and Recommendation [24] is adopted as the opinion of the Court, Defendant's Motion to Dismiss [16] is granted, and Fields's Motion for Judgment on the Pleadings [20] is denied.

Fields is a convicted prisoner in the custody of the Mississippi Department of Corrections. When he originally filed this action on September 12, 2014, Fields was a pretrial detainee being held in the Lauderdale County Detention Facility. In his Petition, he alleged that he was being held indefinitely without an initial appearance or opportunity to speak with his attorney. However, on December 3, 2014, Fields entered a guilty plea on the felon-in-possession charge, and on the same day the trial court sentenced him to a term of ten years. *See* Waiver of Indictment [16-1]; Pet. to Enter Plea of Guilty [16-2]; Order [16-3]. Thus, Fields is no longer being held as a pretrial detainee and has had his appearance. His request for habeas relief is accordingly moot.

To the extent Fields seeks damages, those claims are properly raised in a separate § 1983 suit. As for the conditions of confinement of other prisoners, Fields has no standing to assert

claims on their behalf. Moreover, if Fields wishes to challenge the enforcement of his plea agreement, he must first exhaust his state-court remedies. *See* 28 U.S.C. § 2254(b)(1). Finally, as to Fields's request that the Court order an investigation by the United States Department of Justice, this Court does not possess the constitutional or statutory authority to enter such an order.

IT IS, THEREFORE, ORDERED that the Report and Recommendation [24] of Magistrate Judge F. Keith Ball is adopted as the opinion of the Court. Defendant's Motion to Dismiss [16] is granted, and Fields's Motion for Judgment on the Pleadings [20] is denied.

IT IS FURTHER ORDERED that this action be dismissed with prejudice. A separate final judgment should be entered in this action in accordance with Federal Rule of Civil Procedure 58.

**SO ORDERED AND ADJUDGED** this the 13<sup>th</sup> day of March, 2015.

s/ Daniel P. Jordan III  
UNITED STATES DISTRICT JUDGE